

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**JONATHAN HADNOTT, JESSIE HADNOTT,
KEVIN HUNT, and BRANDELL BETTS,**)
Plaintiffs,) Case No. 07 C 6754
v.) Judge David H. Coar
**UNKNOWN UNNAMED OFFICERS OF THE
CHICAGO POLICE DEPARTMENT, and
CITY OF CHICAGO,**) Magistrate Judge Schenkier
Defendants.)

**PLAINTIFFS' MOTION FOR THE COURT TO AMEND ITS DISCOVERY ORDER
IN LIGHT OF NEW EVIDENCE**

Plaintiffs, JONATHAN HADNOTT, JESSIE HADNOTT, KEVIN HUNT, and BRANDELL BETTS, by and through their attorney, Irene K. Dymkar, hereby move this Court to amend its discovery order in light of new evidence. In support of their motion, plaintiffs state:

1. This is a civil rights action brought pursuant to 42 U.S. §1983. The complaint was filed on November 30, 2007.

2. Defendant CITY OF CHICAGO has now revealed through its document disclosure that Chicago Police Officer MICHAEL KELLY logged onto a police personal computer on the date and at the time in question in this case to conduct an inquiry of plaintiff JONATHAN HADNOTT. Plaintiffs therefore now believe that MICHAEL KELLY is one of unknown officers in this case.

3. Plaintiffs need to identify the other unknown officers. The fastest way to do so would be for defendant CITY OF CHICAGO to disclose the attendance and assignment sheets, which would indicate who MICHAEL KELLY's partners were on December 4, 2006. Plaintiffs have previously requested these documents and the Court ordered defendants to produce said documents after a photographic array, which is no longer necessary. Therefore, plaintiffs request that the Court modify its order to require defendants to produce said attendance and assignment sheets, and any other documents which might identify the other unknown officers, forthwith.

4. Plaintiffs also request that the Court modify its order now to require defendants to make their F.R.Civ.P. 26(a)(1) disclosures, which they have never done.

WHEREFORE, plaintiffs request that the Court modify its discovery order and require defendant CITY OF CHICAGO to disclose the attendance and assignment sheets, and any other documents which would indicate who MICHAEL KELLY's partners were on December 4, 2006, and further, to require defendants to make their F.R.Civ.P. 26(a)(1) disclosures forthwith.

Dated: June 9, 2008

/s Irene K. Dymkar
Irene K. Dymkar

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